

NAGA0018CP1

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Phan, et al.  
Appl. No. : 10/087,549  
Filed : February 28, 2002  
For : METHODS FOR DECREASING NON-SPECIFIC BINDING  
OF BEADS IN DUAL BEAD ASSAYS INCLUDING  
RELATED OPTICAL BIODISCS AND DISC DRIVE  
SYSTEMS  
Examiner : Ethan Whisenant  
Group Art Unit : 1634

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Nagaoka & Co., Ltd., a Japanese Corporation, states that it is an assignee of one half of the entire right, title and interest in the above-referenced patent/application by virtue of a chain of title from the inventors of the patent application/patent identified above, to the current assignee as shown below:

1. From Brigitte C. Phan, Amethyst H. Lam and Ka Y. Yeung to Burstein Laboratories, Inc.), for which a copy thereof is attached.
2. From Burstein Laboratories, Inc. to Burstein Technologies, Inc.. The document was recorded in the United States Patent and Trademark Office at Reel 011597, Frame 0525.
3. From Burstein Technologies, Inc. to Nagaoka & Co., LTD. The document was recorded in the United States Patent and Trademark Office at Reel 014192, Frame 0310.

**Appl. No.** : 10/087,549  
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For each of the attached Assignments that have not yet been recorded by the Assignment Division of the U.S. Patent and Trademark Office, a separate copy of each assignment is being submitted to the Assignment Division in accordance with 37 C.F.R. Part 3 to be recorded in the records of the U.S. Patent and Trademark Office.


The undersigned, whose title is supplied below, is authorized to act on behalf of the assignee.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/18/04

By:   
Russell M. Jeide  
Registration No. 54,198  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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**ASSIGNMENT OF APPLICATION AND PATENT**

WHEREAS, we Brigitte Chau Phan residing at 171 Stonecliffe Aisle, Irvine, California 92612, Amethyst Hoang Lam residing at 5 Middleton, Irvine, California 92620 and KaYuen Yeung residing at 225 Deerfield Drive, Walnut, California 91789, have invented certain new and useful METHODS FOR DECREASING NON-SPECIFIC BINDING OF BEADS IN DUAL BEAD ASSAYS INCLUDING RELATED OPTICAL BIODISCS AND DISC DRIVE SYSTEMS, for which we have made application for Letters Patent of the United States as fully set forth and described in the specification filed in the United States Patent and Trademark Office on February 28, 2002 and assigned Serial No. 10/087,549;

WHEREAS, Burstein Technologies, Inc., a Corporation duly organized and existing under and by virtue of the laws of the State of Delaware, and having a place of business at 163 Technology Drive, Suite 200, Irvine, California 92618, is desirous of acquiring the entire interest in and to said invention and the Letters Patent to be had therefore;

NOW THEREFORE, to all whom it may concern, be it known, that for good and valuable consideration, to us in hand paid, the receipt of which is hereby acknowledged, we, said Brigitte Chau Phan, Amethyst Hoang Lam, and KaYuen Yeung, have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over unto said Burstein Technologies, Inc., the whole right, title, and interest in and to said METHODS FOR DECREASING NON-SPECIFIC BINDING OF BEADS IN DUAL BEAD ASSAYS INCLUDING RELATED OPTICAL BIODISCS AND DISC DRIVE SYSTEMS and any and all improvements disclosed in the aforesaid application for patent, as fully set forth and described therein, and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent derived from the aforesaid application which have been or shall be filed in the United States and in and to the United States Letters Patent to be issued thereon for the territory of the United States, and all corresponding foreign counterpart applications derived from the aforesaid United States patent application and related applications as prepared for and filed in any and all foreign countries, said whole right, title, and interest in and to said METHODS FOR DECREASING NON-SPECIFIC BINDING OF BEADS IN DUAL BEAD ASSAYS INCLUDING RELATED OPTICAL BIODISCS AND DISC DRIVE SYSTEMS being the same for said Burstein Technologies, Inc.'s own use and for the use of its assigns, successors, and legal representatives to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

And we, for ourselves, our heirs, assigns, and legal representatives hereby covenant to and with said assignee Burstein Technologies, Inc., its assigns, successors, and legal

representatives, that we have full right to sell and assign the whole right, title, and interest in and to said invention and the Letters Patent to be had therefor and that the entire interest herein conveyed is free from all prior assignment, grant, mortgage, license, or other encumbrance whatsoever. And we also, for ourselves, our heirs, assigns, and legal representatives hereby further covenant to and with said assignee Burstein Technologies, Inc., its assigns, successors, and legal representatives to fully cooperate therewith in the prosecution of the aforesaid application in the United States Patent and Trademark Office and in any and all foreign jurisdictions, said cooperation extending to any U.S. or foreign divisional, continuing, substitute, renewal, reissue or any other application derived from the aforesaid application, and including the execution of additional declarations, assignments, and other formal documents as may be required in connection therewith.

And we do hereby authorize and request the United States Commissioner of Patents to issue Letters Patent to said Burstein Technologies, Inc, as the assignee of our entire right and title therein.

In Testimony Whereof, we have hereunto set our hand and seal on the day and month of the year 2002 as indicated below.

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Brigitte C Phan L.S.  
Brigitte Chau Phan

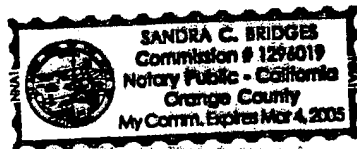
Date: 6/7/02

Acknowledgment

State of California )  
County of Orange ) ss

On this 7<sup>th</sup> day of June, 2002, before me, Sandra C. Bridges, Notary Public, personally appeared Brigitte Chau Phan, ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]  
Signature of Notary Public

\*\*\*\*\*

[Signature] L.S. Date: 06/07/02  
Amethyst Hoang Lam

Acknowledgment

State of California )  
County of Orange ) ss

On this 7th day of June, 2002, before me, Sandra C. Bridges, Notary Public, personally appeared Amethyst Hoang Lam, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]  
Signature of Notary Public

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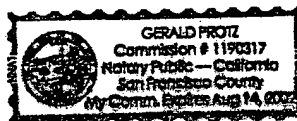
[Signature] L.S. Date: 6/29/02  
KaYuen Yeung

Acknowledgment

State of California )  
County of SAN FRANCISCO ) ss

On this 29 day of JUNE, 2002, before me, GERALD PROTZ, Notary Public, personally appeared KaYuen Yeung, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his individual and authorized capacities, and that by his signature on this instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



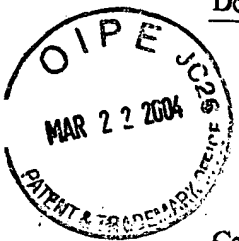
[Signature]  
Signature of Notary Public

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## POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is an empowered representative of a partial Assignee having a right, title and interest in an application or patent. The Assignee hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, Customer No. 20,995, as attorneys and agents to represent the Assignee before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned in whole or in part to the Assignee according to the USPTO assignment records or assignment documents supplied with an accompanying Statement Under 37 CFR 3.73(b). This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 CFR § 3.71.

A Statement Under 37 CFR 3.73(b), signed by a registrant of Knobbe, Martens, Olson & Bear, LLP, is attached setting forth a full chain of title for the subject application partially owned by the Assignee named below.

Please change the correspondence address for the above-identified application to Customer No. 20995.

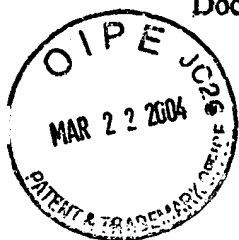
By: H. Kitamura

Date: March 2nd, 2004

Name: HIDEO KITAMURA

Title: EXECUTIVE MANAGING DIRECTOR

Assignee: NAGAOKA & CO., LTD.  
7-18, Nishinomiyahama 4-Chome, Nishinomiya-Shi, Hyogo,  
Japan 662-0934

**POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is an empowered representative of a partial Assignee having a right, title and interest in an application or patent. As defined by 37 C.F.R. § 3.71(b)(2), said partial Assignee is of record and obtains less than the entire right, title and interest in the application or patent referred to in the attached Statement Under 37 C.F.R. § 3.73(b).

By this paper, the Assignee is revoking any previous powers of attorney granted by the Assignee and granting power of attorney to Knobbe, Martens, Olson & Bear, LLP for the purposes of continued prosecution of an application or patent co-owned by an individual or company under the representation of Knobbe, Martens, Olson & Bear, LLP. This paper does not serve as an agreement or acknowledgement of legal representation by Knobbe, Martens, Olson & Bear, LLP. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 CFR § 3.71.

A Statement Under 37 CFR 3.73(b), signed by a registrant of Knobbe, Martens, Olson & Bear, LLP, is attached setting forth a full chain of title for the subject application owned by the Assignee named below.

By: 

Date: 

Name: Richard Burstein

Title: CEO

Assignee: BURSTEIN TECHNOLOGIES, INC.  
163 West Technology Dr., Ste. 200  
Irvine, California 92618